

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. W. Karl Renner on 4/2/2009.
3. The application has been amended as follows:

Amendments to the Specification

4. Please amend first paragraph under "CROSS REFERENCE TO RELATED APPLICATIONS" at page 1 of the specification as following:

This application is a continuation-in-part of U.S. Application No. 10/715,209, now copending, filed November 18, 2003, and titled "Multiple Personalities" that claims priority from U.S. Provisional Application No. 60/427,941, filed November 21, 2002, U.S. Provisional Application No. 60/464,106, filed April 21, 2003, and U.S. Provisional Application No. 60/488,399, filed July 21, 2003; claims the benefit of U.S. Provisional Application No. 60/450,663, filed March 3, 2003, and titled "Providing Video, Sound, or Animated Content With Instant Messages;" and claims the benefit of U.S. Provisional Application No. 60/512,852, filed October 22, 2003, and titled "Providing Video, Sound, or Animated Content With Instant Messages," all of which are incorporated by reference.

Claim Rejections - 35 USC § 101

5. Below is the amendment, i.e., the medium comprising hardware, to the claim 84 to overcome 35 U.S.C. 101 rejections.

Amendments to the Claims

6. Please amend claim 84 as following:

Claim 84 (Currently Amended) A computer ~~[[-]]~~ readable storage medium having embodied thereon a computer program configured to communicate, the ~~medium~~ program comprising one or more code segments configured to:

receive, from an instant messaging sender, an indication of multiple different personas associated with the instant messaging sender, each of the personas comprising a sender avatar capable of being animated and a collection of self-expression items reflecting preferences of the sender;

store the multiple personas in one or more data structures;

store, for each of the multiple personas, an association between the persona and at least one potential instant messaging recipient;

initiate an instant messaging communications session between the instant messaging sender and a particular potential instant messaging recipient;

access the stored association between the particular potential instant messaging recipient and a corresponding one of the stored personas associated with the instant messaging recipient;
and

render, on an instant messaging recipient system, the accessed persona as the persona for the instant message sender during communications involving the instant message sender and the particular potential instant messaging recipient.

Drawings

7. The drawings filed on 12/30/2003 are acknowledged.

Allowable Subject Matter

8. Claims 25-28, 30-53 and 80-119 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2454

4/2/2009